

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
MONDAY, MARCH 3, 2014 – LEGISLATIVE CHAMBER, ROOM 314,
TOWN HALL, WEST HARTFORD, CT 06107**

ATTENDANCE: **Kevin Ahern, Chair; Kevin Prestage, Vice-Chair;
Commissioners: Jeff Daniels and Michael Seder; Alternates: Liz
Gillette; John O'Donnell and Michele Maresca; Todd Dumais,
Town Planner/Secretary to TPZ; Patrick Alair, Corporation
Counsel; Cathy Dorau, Associate Planner.**

ABSENT: **Commissioner: Paul Freeman**

MINUTES:

1. Approval of Minutes:

- a. Minutes of Regular Meeting, Monday, February 3, 2014.
(Motion/O'Donnell; Second/Daniels; O'Donnell seated for Freeman; r Seder
recused himself; Vote: 5-0.)

NEW BUSINESS:

188 Westmont - Application (IWW #993) of Linda Congdon (Robin Pearson, Attorney) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant is proposing an approximately 1,800 sf footprint for a new single family dwelling and associated site improvements in the wetland and 150' regulated area. (Submitted for IWWA receipt on March 3, 2014. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5- 0)** (Motion/Daniels; Second/Prestage (Maresca seated for Freeman) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on Monday, April 7, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

188 Westmont - Application (SUB #292) of Linda Congdon (Robin Pearson, Attorney) requesting approval of a two (2) lot re-subdivision on an approximately 1.52 acre parcel. The proposed lots consist of a 29,900 sf lot with an existing single family home and new lot of 36,680 square feet. The property is located in an R-20 single family zone requiring a minimum lot area of 20,000 sf. (Submitted for TPZ receipt on March 3, 2014. Suggest required public hearing be scheduled for April 7, 2014.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (Motion/Daniels; Second/Prestage) (Maresca seated for Freeman) to schedule this matter for public hearing on Monday, April 7, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

526 New Park Avenue (East West Grille) - Application (SUP #1251) of Manola Sidara, Owner of East West Grille (Brett Bowin, Architect) seeking a Special Use Permit to establish an outdoor dining area with a seating capacity of sixteen (16) seats. Proposal includes a vinyl fence enclosure, outdoor speakers, umbrellas as well as plantings along the outer perimeter of the dining area. (Submitted for TPZ receipt on March 3, 2014. Suggest required public hearing be scheduled for April 7, 2014.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (Motion/Prestage; Second/O'Donnell) (O'Donnell seated for Freeman) to schedule this matter for public hearing on Monday, April 7, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

138 (aka 132) Park Road (Plan B Burger Bar) - Application (SUP #1212-R2-14) of Plan B Burger Bar (Shawn Skehan, Restaurant Owner) requesting TPZ review of the conditions of SUP #1212 approved on May 7, 2012 for a thirty two (32) seat outdoor dining area. The TPZ required the applicant to return to the Commission in order to review operational procedures. The TPZ may consider supplemental conditions of approval if operational concerns are identified. (Submitted for TPZ receipt on March 3, 2014. Suggest required public hearing be scheduled for April 7, 2014.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (Motion/Prestage; Second/Seder) (Gillette seated for Freeman) to schedule this matter for public hearing on Monday, April 7, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

60 (aka 52) Lasalle Road - Application (SUP #1252) of Erika Johns (Owner, Generation Y) seeking a Special Use Permit to establish a licensed day care facility, Generation Y. The facility offers programs and classes for school aged children which include arts and crafts, fitness and homework clubs. Hours vary but are primarily after school to 7:30 pm during the week, 11am-5pm Saturday and open Sunday for private parties only. (Submitted for TPZ receipt on March 3, 2014. Suggest required public hearing be scheduled for April 7, 2014.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (Motion/Daniels; Second/Prestage) (Maresca seated for Freeman) to schedule this matter for public hearing on Monday, April 7, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

**OLD BUSINESS SCHEDULED FOR PUBLIC HEARING AND DECISION ON
MARCH 3, 2014:**

47 Brookside Boulevard – Application (IWW #946-R1-13) of Daniel Blume, Attorney (Robert Cerciello, R.O.) requesting approval of an Inland Wetlands and Watercourses permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. A permit was granted on January 6, 2010 for regulated activities that have been revised. The applicant is proposing to repair and stabilize an existing stone wall at the bank of Trout Brook, construct a retaining wall at the rear of the house, and remove a portion of an existing retaining wall within the 150' regulated area. (Submitted for IWWA receipt on December 2, 2013. Determined to be potentially significant and set for public hearing on January 6, 2014. Public hearing opened and continued to January 22, 2014. Public hearing continued with the applicant's consent to March 3, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the IWWA acted by **unanimous vote (0-5)** (Motion/Prestage; Second/Daniels) (Gillette seated for Freeman) to **DENY** the subject application. During its discussions and deliberations on this matter, the agency made the following findings:

1. The environmental impact of the proposed regulated activity will cause an irreversible and irretrievable loss of Wetlands resources.
2. The applicant failed to demonstrate that feasible and prudent alternatives to the proposed regulated activity do not exist.

134 Norwood Road (Hartford Golf Club) – Application (SUP #1250) of the Hartford Golf Club (Brian Higgins, GM) seeking a Special Use Permit to construct a 400 square foot pavilion to serve as a waiting area for caddies. The pavilion will be screened by a decorative fence and plantings. (Submitted for TPZ receipt on February 3, 2014. Required public hearing scheduled for March 3, 2014.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (5-0)** (Motion/O'Donnell; Second/Seder)(Maresca seated for Freeman) to **APPROVE** the subject application. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.

- b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
- c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.

668 - 678 Farmington Avenue (Walgreens) – Application (SUP #1249) of ReadCo, LLC (Scott Franklin, Attorney) seeking a Special Use Permit to allow for a temporary freestanding trailer to be located on the southeasterly portion of the premises to serve as a temporary pharmacy during the construction of the proposed new Walgreens building to be located at 668-678 Farmington Avenue. (Submitted for TPZ receipt on February 3, 2014. Required public hearing scheduled for March 3, 2014.)

After a detailed review of the application and its related exhibits, the TPZ continued the public hearing on this application to Monday, April 7, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

668 - 678 Farmington Avenue (Walgreens) – Application (SUP #1248) of ReadCo, LLC (Scott Franklin, Attorney) seeking a Special Use Permit to allow for the construction a drive-thru/drive-up pharmacy window on the north side of the proposed new Walgreens building to be located at 668-678 Farmington Avenue. The drive-thru/drive-up pharmacy will dispense only prescription medications. (Submitted for TPZ receipt on February 3, 2014. Required public hearing scheduled for March 3, 2014.)

After a detailed review of the application and its related exhibits, the TPZ continued the public hearing on this application to Monday, April 7, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

TOWN COUNCIL REFERRALS AND REQUEST FOR REPORT:

668 - 678 Farmington Avenue - Application on behalf of ReadCo, LLC, the agent of the lessee Walgreens, along with Prospect Associates I, LLC, owner of 668-678 Farmington Avenue (“Premises”) (together “Applicants”) for a Special Development District known as 668-678 Farmington Avenue to allow the razing of the existing building and the construction of a commercial retail building to be occupied solely by Walgreens. In addition, the applicants request the approval to: (1) construct a drive-thru/drive-up pharmacy window dispensing only prescription medications, (2) situate a trailer on the southeasterly portion of the Premises to serve as a temporary pharmacy during the renovation of the Premises, and (3) to allow improvements and modifications to, and repaving of, the parking lot, sidewalks and landscaping. (Submitted for Town Council Receipt on January 14, 2014. Town Council public hearing scheduled for March 11, 2014. TPZ receipt on March 3, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/Daniels; Second/Gillette)(Prestage and Maresca recused themselves)(Gillette seated for

Freeman)(O'Donnell seated for Prestage) to **RECOMMEND APPROVAL** of the subject application.

During its discussion and deliberation on this matter, the Commission made the following findings which it has prepared for the Council's consideration:

1. The Commission supports the proposed development concept noting that the overall site layout, reduced parking, high quality architecture, and enhanced landscaping create a better gateway into West Hartford and is a great improvement over the existing site conditions.
2. The applicant should explore a modification to the easterly Farmington Avenue drive entrance, including possible one-way flow restriction.
3. The Commission finds the proposed rezoning and Special Development District designation to be consistent with the Plan of Conservation and Development.

1455- 1459 New Britain Avenue (Corbins Corner) - Application (SDD #6-R1-13) of FW CT-Corbins Corner Shopping Center, LLC, owner of 1459 New Britain Avenue known as Corbins Corner Shopping Center to amend SDD #6 to construct a free-standing retail building of approximately 6,051 square feet for Jared The Galleria of Jewelry ("Jared") close to New Britain Avenue and just to the north of the main entrance into the Center. The applicant requests a waiver of the Section 177-44C (1)(a). No changes are proposed for the Sears-owned parcel by this Application. (Town Council receipt on December 10, 2013. DRAC receipt on December 19, 2013. TPZ receipt on January 6, 2013; receipt postponed to January 22, 2014. Town Council public hearing scheduled for January 28, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/Freeman; Second/Daniels)(Gillette seated for Prestage)(O'Donnell seated for Seder) to **RECOMMEND APPROVAL** of the subject application.

During its discussion and deliberation on this matter, the Commission made the following findings which it has prepared for the Council's consideration:

1. The Commission notes that proposed location of the new retail building is a good fit and is compatible with both the main plaza and associated "out-buildings".

Ordinance – Permitting Heliports – Amending Chapter 177 of the West Hartford Code of Ordinances to include Section 177-16.9 Aircraft Landing Sites to permit heliports. Ordinance defines the permitted uses, specific requirements, exceptions and construction of heliports. (Submitted for Town Council Receipt on January 28, 2014. Town Council public hearing scheduled for March 11, 2014. TPZ receipt on March 3, 2014.)

After a detailed review of the proposed ordinance, the TPZ acted by **majority vote (3-2)** (Motion/Prestage; Second/Daniels) (Daniels and Seder voted "no") (Gillette seated for Freeman) to **RECOMMEND APPROVAL** of the subject ordinance.

During its discussion and deliberation on this matter, the Commission made the following findings which it has prepared for the Council's consideration:

1. Those voting yea did not object to the ordinance insofar it establishes the possibility of a helipad being appropriately sited in town, especially where business uses may benefit, but did also share the concerns of those voting nea. However, as the ordinance establishes a standard review process before the Commission, those voting yea were ultimately inclined to recommend approval.
2. Those voting nay felt that, by their nature, heliports are uses that will cause a degradation to quality of life and are particularly unsuited for residential zoning districts.

Ordinance – Medical Marijuana Production Facilities and Dispensaries–

The intent of this ordinance is to regulate the location and operation of Medical Marijuana Dispensary Facilities and Medical Marijuana Production Facilities in order to minimize any adverse impact of these facilities on surrounding areas. The ordinance will amend Chapter 177 (Section 177-2) of the West Hartford Code of Ordinances to include definitions for both a Medical Marijuana Dispensary Facility and Medical Marijuana Production Facility and add Section 177-16.9 to regulate location, signage and advertising. All facilities must comply with Connecticut General Statutes. (Submitted for Town Council Receipt on January 28, 2014. Town Council public hearing scheduled for March 25, 2014. TPZ receipt on March 3, 2014.)

After a detailed review of the proposed ordinance, the TPZ acted by **unanimous vote (5-0)** (Motion/Prestage; Second/Daniels) (Maresca seated for Freeman) to **RECOMMEND APPROVAL** of the subject ordinance.

Motion was made by Commissioner Seder to adjourn; second by Commissioner Prestage. Vote: (5-0) unanimously approved. Meeting adjourned approximately at 11:45 p.m.

Respectfully submitted,
Christine Campasano, Recording Clerk